

# YOUR GUIDE TO Fire Code Compliance

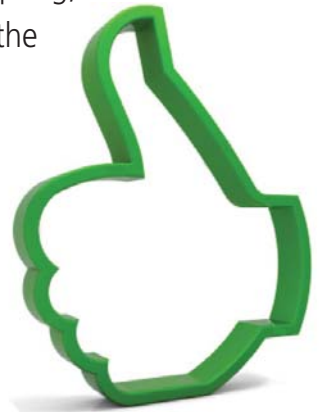
In Montgomery County, Maryland



**MCFRS**  
Montgomery County, MD  
Fire and Rescue Service



**M**ontgomery County, Maryland Fire and Rescue Service (MCFRS), in cooperation with the Greater Bethesda-Chevy Chase, Greater Silver Spring, Rockville, and African American Chambers of Commerce along with the Apartment and Office Building Association, has formulated a list of frequently asked questions (FAQs) regarding the application and enforcement of the Montgomery County Fire Safety Code. You are encouraged to call MCFRS at 240-777-2457 or view their website at [www.montgomerycountymd.gov/firemarshal](http://www.montgomerycountymd.gov/firemarshal) should you have questions or concerns not addressed by these FAQs.



## FAQs

### Who is Responsible for the Application and Enforcement of the Fire Safety Code



MCFRS is responsible for the application and enforcement of the Fire Safety Code in existing buildings, including life safety and fire protection standards and codes of the National Fire Protection Association (NFPA) as adopted by the State of Maryland and Montgomery County.

MCFRS is responsible for inspecting and ensuring Fire Safety Code compliance for all business, retail, restaurant, laboratory, industrial, fuel station, apartment, condominium, hotel, school, child care, group home, health care and all other buildings in Montgomery County, MD.

The licensing of contractors who maintain, inspect or test fire protection systems in existing buildings, such as fire alarms and fire sprinklers, is part of the MCFRS responsibility.

### How Often Can a Building or Commercial Tenant Space Expect a Visit From a MCFRS Inspector



With the exception of individual dwelling spaces, MCFRS inspectors, wearing a uniform that includes Montgomery County, MD employee identification, can be expected to visit each building and occupied commercial tenant space between every one and three years to ensure Fire Safety Code compliance.

# FAQs

## What are the Fire Safety Code Compliance Responsibilities for Owning a Business or Building ?

Every building and business in Montgomery County is required to have a valid Fire Code Compliance Permit from MCFRS. This does not include home based businesses or individual dwellings. The Fire Code Compliance Permit must be renewed each year.

Additionally, whenever new construction Fire Code permits are requested, there has been a change to the owner, the occupant or the way the building or space is being used, a new Fire Code Compliance Permit must be obtained for that building or space.

All buildings and businesses that have a fire protection system (fire alarm, fire sprinkler, etc.) are required to have an Operating Permit for each of the fire protection systems. Holders of a system Operating Permit are required to have the system inspected and tested at least annually.

A business or building owner or its lessee is required to retain a contractor licensed by MCFRS to administer the system test and inspection. A list of licensed fire protection contractors may be obtained from the MCFRS website at no charge.

The fire protection contractor must submit inspection testing documentation to MCFRS within 30 days after the completion date. During the inspection testing process (or during a normal service call) should the fire protection contractor find an impairment with a system that creates a distinct hazard, the fire protection contractor must report the impairment to MCFRS immediately at 240-773-8903. A copy of this requirement is posted on the MCFRS website under "Contractors".

## What Are Owner and Occupant Inspection Rights ?

- When there is no distinct hazard to life, occupants may request that an unscheduled inspection be postponed if the inspector arrives at an inconvenient time. Follow-up inspections to determine whether the violation has been corrected may not always be made by the same inspector.

- You are encouraged to challenge a fire protection contractor if you feel they are attempting to take advantage of your trust. You may contact MCFRS or retain a third party fire system consultant or an independent fire protection engineer to evaluate an inspection testing report. Should improprieties by the fire protection contractor be confirmed, their license to operate in Montgomery County, MD may be revoked.

- If an owner or occupant of a business or building is uncomfortable with their code compliance experience or a MCFRS inspector, they have the right and are encouraged to contact the inspector's supervisor at 240-773-8910.

- You may request language interpretation services at any time.

- Additionally, Montgomery County has established a Fire Safety Code Customer Advocate to serve as a neutral party for Fire Safety Code compliance matters. The customer advocate may be contacted at 240-773-4739 or [fire.customeradvocate@montgomerycountymd.gov](mailto:fire.customeradvocate@montgomerycountymd.gov)

## What Are The Fees For MCFRS Services ?

- The fee for an Annual Fire Code Compliance Permit for businesses and buildings not having an individual fire protection system is \$27.50.
- The fee for an Annual Operating Permit for each Fire Protection System is \$55.00.
- A business or building that requires an Annual Operating Permit is issued an Annual Fire Code Compliance Permit without charge.
- There are no fees associated with unscheduled inspections, initial inspections to confirm resolution of violations identified during unscheduled inspections, and initial inspections to investigate a reported problem with a fire protection system.

Should additional follow-up inspections be required to confirm the resolution of violations during unscheduled inspections, and reported problems with fire protection systems, a fee of \$154.00 per hour may be assessed. This hourly rate includes 30 minutes of travel time and 15 minutes of data entry time per visit.

### When Are Permits Required for Work in Existing Buildings?

- Permits are required for all new construction, alterations, or demolition of building features, including fire protection systems. The change of use of an existing building or a portion of a building also requires a permit.
- Permits for these types of work or a change of use must be obtained prior to any changes being made. Permits are issued by the Department of Permitting Services. Detailed information may be obtained by calling 3-1-1 or by visiting their website at: <http://www.montgomerycountymd.gov/permittingervices>

## What Happens if a Problem is Found During An Inspection ?

If MCFRS inspectors or a licensed Fire Protection System contractor find a problem with a building, business or fire protection system during an inspection or test, the owner, the owner's agent or lessee, will receive a Notice of Violation detailing what needs to be corrected and the compliance date. The owner, agent or lessee will generally have 30 days from the delivery of the notice to correct any problem. Depending upon the violation, an extension may be granted by MCFRS if requested within 30 days from the Notice of Violation. Distinct hazards to fire and life safety, such as blocked emergency exits or improperly stored flammable liquids, will require immediate correction.

When the violation has been addressed within the compliance date the responsible party should request an inspection at [www.montgomerycountymd.gov/firemarshal](http://www.montgomerycountymd.gov/firemarshal). There is no charge for the first reinspection. If the responsible party has not corrected the problem cited in the Notice of Violation at the time of this follow-up inspection there will be additional charges for other visits that may be required.

If there are significant difficulties in resolving the violation, the owner or occupant may ask to enter into a Fire Protection Agreement to address Fire Safety Code compliance. This is a formal, negotiated agreement with MCFRS that describes specific actions and dates by which the responsible party will make the changes needed to resolve the Notice of Violation.